

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

THE PEOPLES BANK AND TRUST )  
COMPANY, )  
                                )  
Plaintiff, )  
                                )  
v.                             ) 2:04-cv-00310-RBP  
                                )  
DREW LOFSTAD, BROOKE M. LOFSTAD, )  
CLYDE LOFSTAD, D & S MASONRY )  
CONTRACTORS, LLC, D & R GENERAL )  
CONTRACTING, LLC, and AMANDA K. )  
CLAY, )  
                                )  
Defendants. )

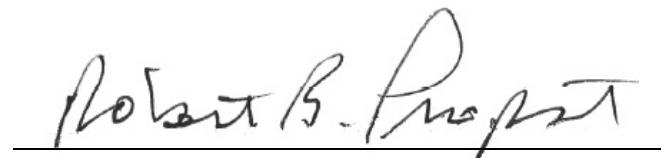
**MEMORANDUM OPINION**

The plaintiff filed the above-captioned action to recover money due pursuant to a note and personal guaranty signed by Clyde Lofstad. A default was entered against Amanda K. Clay (hereinafter “Clay” or “the defendant”) after she failed to answer the claims against her. Premised on the default, the plaintiff has filed a motion for a default judgment against Clay. (Doc. 37). On June 14, 2006, the magistrate judge assigned this matter found that the defendant was in default in failing to respond or otherwise defend this action and that the plaintiff was due to be awarded a monetary judgment against the defendant for damages in the amount of \$48,271.45, plus interest in the amount of \$5.31 per day from March 20, 2006. A report and recommendation to that effect was entered. The court attempted to serve the report and recommendation on the defendant. It, however, was returned as undeliverable. It further was noted on the returned envelope that the defendant did not leave a forwarding address.

Premised on the foregoing, the court finds that the plaintiff is entitled to a judgment in the

amount of \$48,271.45, plus interest in the amount of \$5.31 per day from March 20, 2006 (\$546.93). An appropriate order will be entered.

**DONE**, this the 5<sup>th</sup> day of July, 2006.

  
Robert B. Propst  
**ROBERT B. PROPST**  
**SENIOR UNITED STATES DISTRICT JUDGE**